



Public Notice

Applicant:
**Jenne Family
Limited Partnership**

Published: **APRIL 10, 2012**
Expires: **MAY 9, 2012**

U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Application No: 2011-00998
Section: Ohio

All written comments should reference the above Application No. and be addressed to:
Buffalo District U.S. Army Corps of Engineers
Regulatory Branch (Attn: Susan L. Baker)
1776 Niagara Street
Buffalo, New York 14207-3199

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Jenne Family Limited Partnership, 3107 North Windsor Court, Westlake, Ohio 44145, has applied for a Department of Army permit to place fill in Waters of the U.S. in order to expand the existing Jenne Family Limited Partnership distribution and training facility. The approximately 7.6 acre development site is located southwest of the intersection Chester Road and Lear Nagle Road, City of Avon, Lorain County, Ohio.

The project consists of construction of the following: 106,224 square feet of work space, 253 parking spaces, a truck dock, a stormwater basin, and associated appurtenances. The applicant's stated purpose is to provide additional workspace for an established distribution and training facility and to provide jobs and economic benefits to the City of Avon.

Department of the Army authorization is required for the 2.86 acres of proposed impacts to federally jurisdictional wetlands.

An approved jurisdictional determination was issued by the Buffalo District on 24 August 2011 verifying the presence of Wetland A (2.23 acres), Wetland B (1.07 acres), and an unnamed tributary to Heider Ditch (600 linear feet). The existing building and appurtenances were previously constructed and did not require Department of Army authorization.

The applicant proposes to mitigate for the proposed impacts to federally jurisdictional wetlands through the purchase of 2.7 acres of credit from Edison Woods Mitigation Bank and 1.7 acres of credit from

Castalia Quarry Mitigation Bank, for a 1.5:1 mitigation ratio.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Susan L. Baker, who can be contacted at the above address, by calling (716) 879-4474, or by e-mail at: Susan.L.Baker@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The following authorization(s) may be required for this project:
Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area/area of potential effects as shown on Sheet 4 of 4. As no properties listed in, or eligible for listing in the National Register of Historic Places have been identified within the vicinity of the project area/area of potential effects, it has been determined that no historic properties will be affected by the proposed activity. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to: Piping Plover (*Charadrius melodus*), Indiana Bat (*Myotis sodalis*), and Kirtland's Warbler (*Dendroica kirtlandii*), and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior

or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

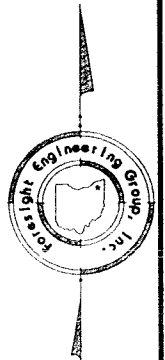
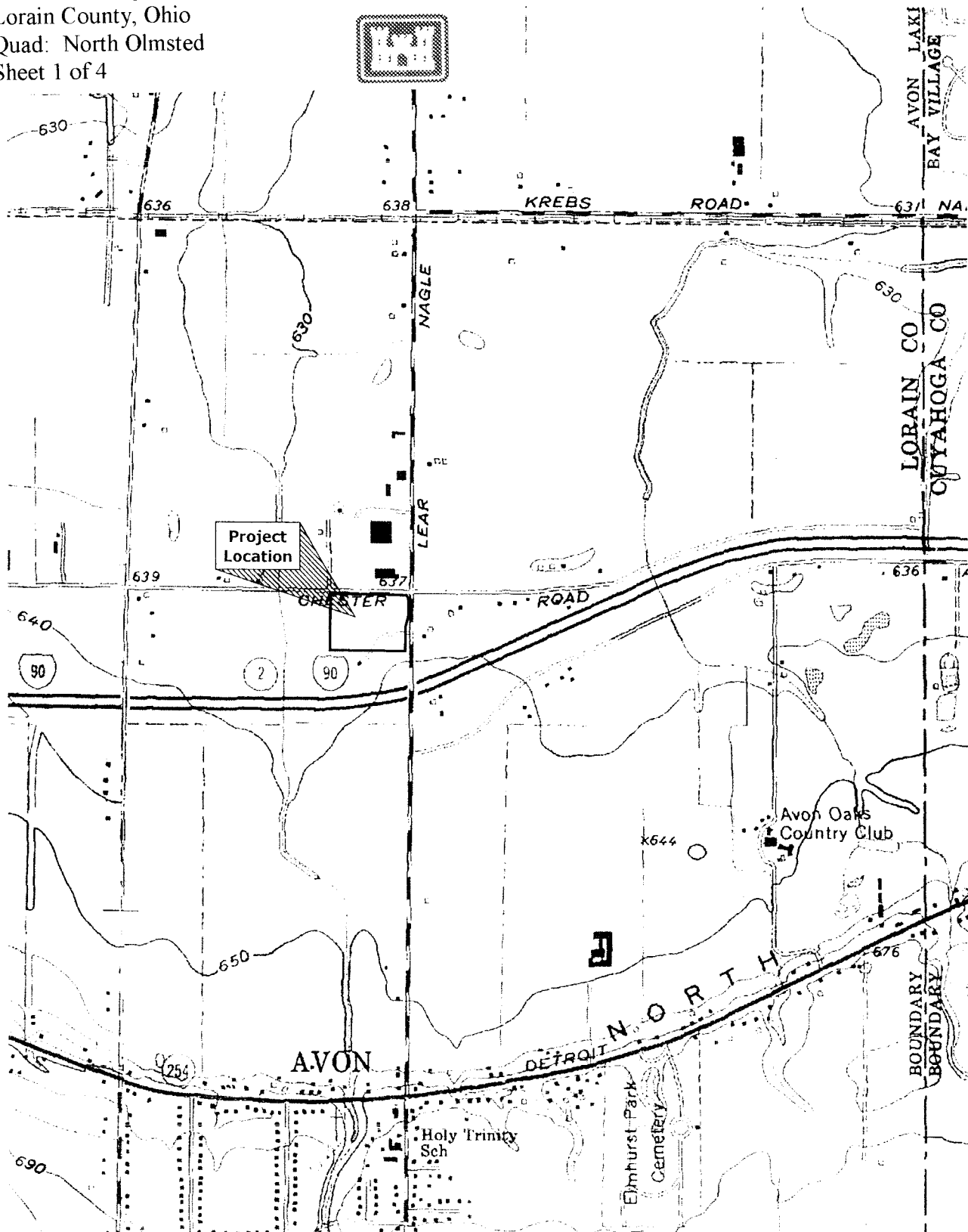
SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

Jenne Family Limited Partnership
D/A Processing No. 2011-00998
Lorain County, Ohio
Quad: North Olmsted
Sheet 1 of 4

Foresight Engineering Group, Inc.



Graphic Scale in Feet
1 in. = 1500 ft

Project Location Map
Jenne Family Limited Partnership
City of Avon - Lorain County - Ohio
Figure 1

SCALE - Horiz. 1" = 1500'
Vert. 1" = 100'
FILE NAME
PROJECT NO.
DATE
January 31, 2012

Foresight Engineering Group

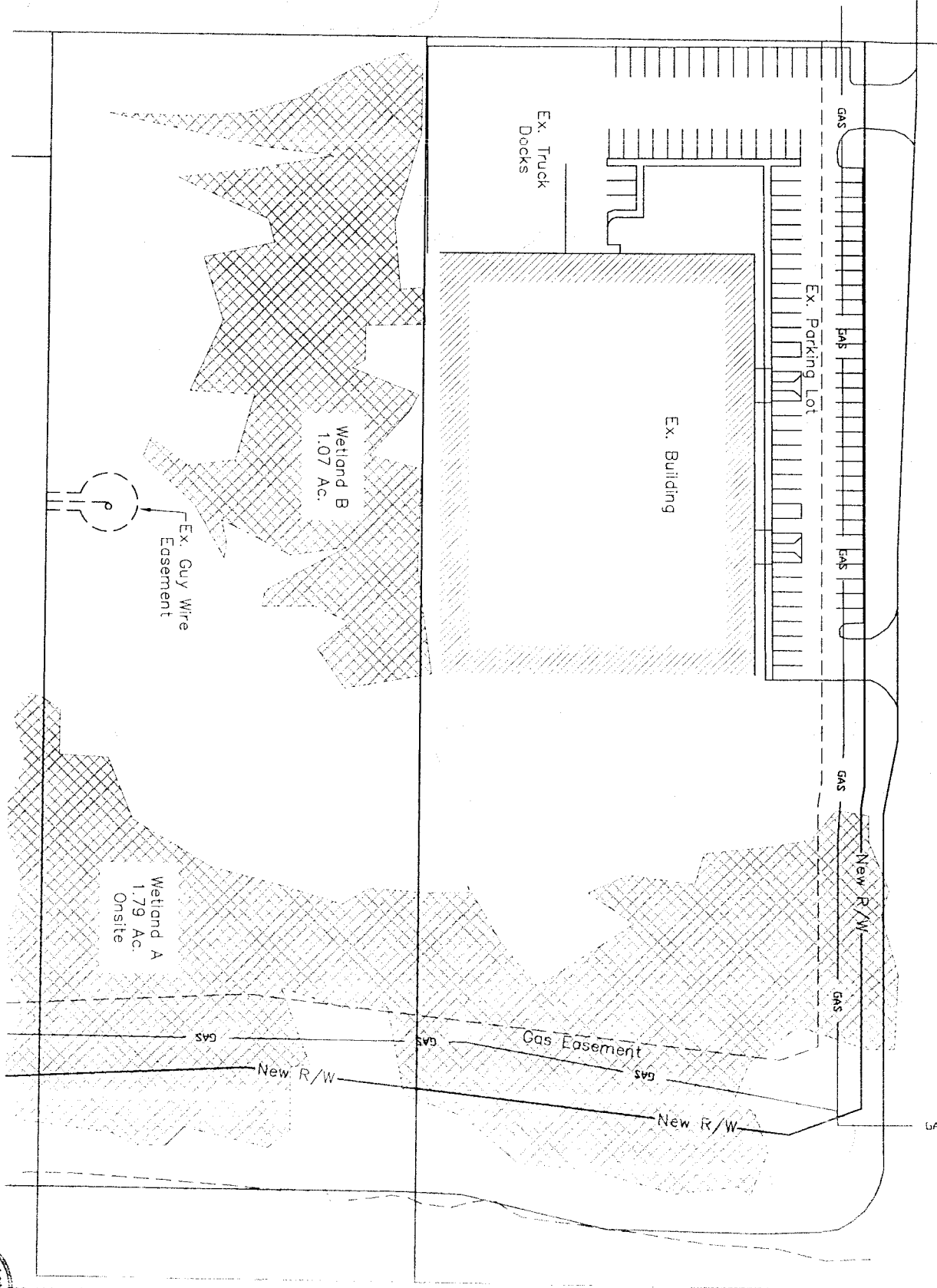
440.250, 1025
440.250-1025, Unit 1
720 Center Street, Unit 1
Avon, Ohio 44001

Engineers &
Surveyors

Chester Road



Legend
Wetland



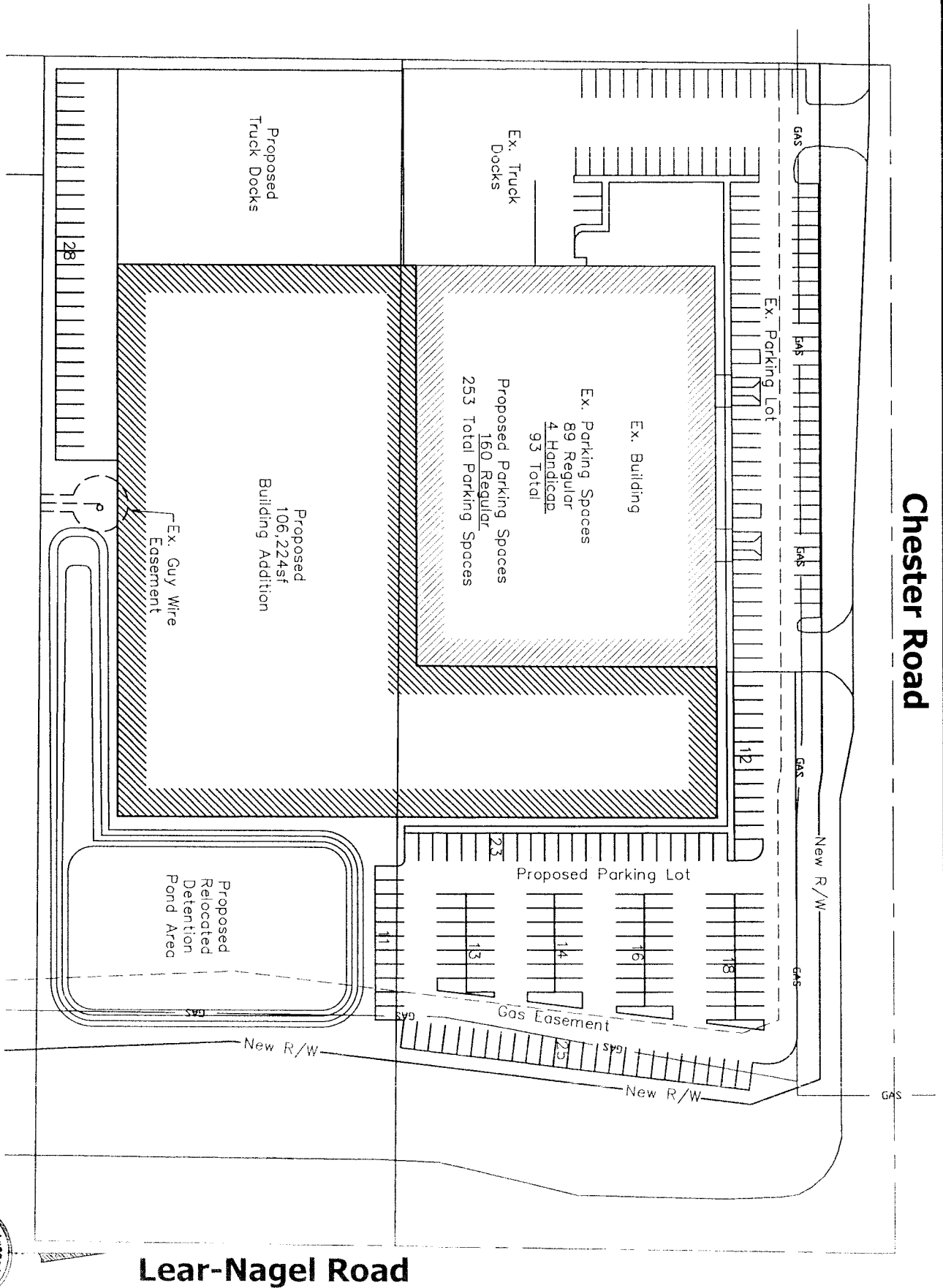
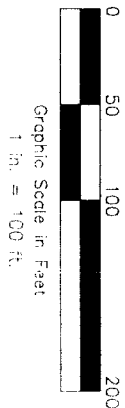
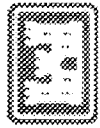
Lear-Nagel Road

Wetland Location Map
Jenne Family Limited Partnership
City of Avon - Lorain County, Ohio
Figure 2

Jenne Family Limited Partnership
D/A Processing No. 2011-00998
Lorain County, Ohio
Quad: North Olmsted
Sheet 2 of 4



Jenne Family Limited Partnership
D/A Processing No. 2011-00998
Lorain County, Ohio
Quad: North Olmsted
Sheet 3 of 4

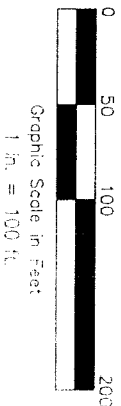
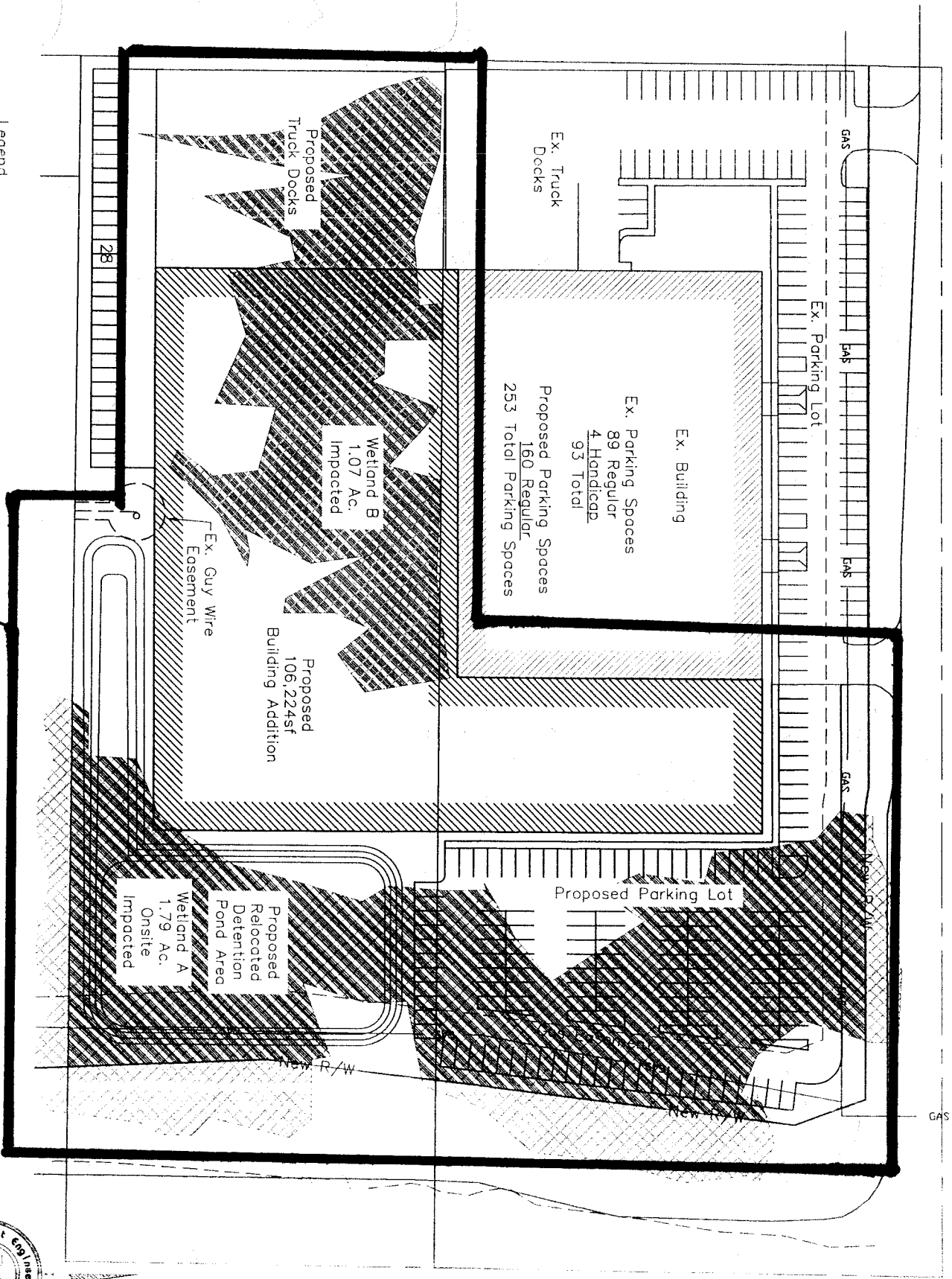
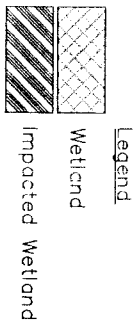


Project Development Map
Jenne Family Limited Partnership
City of Avon - Lorain County - Ohio
Figure 3

SCALE: 1" = 100'
Date: 3/8/2012
Drawn by: J. [illegible]
Checked by: J. [illegible]
March 8, 2012

Foresight Engineering Group
Engineers & Surveyors
440 285-1034 fax
440 285-1034 fax
120 Chester Street, Suite 100
Chardon, Ohio 44024

Chester Road



Lear-Nagel Road

Wetland Impact Map
Jenne Family Limited Partnership
City of Avon Lorain County - Ohio
Figure 4

Jenne Family Limited Partnership
D/A Processing No. 2011-00998
Lorain County, Ohio
Quad: North Olmsted
Sheet 4 of 4

